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MEETING

STATE OF CALIFORNIA

INTEGRATED WASTE MANAGEMENT BOARD

STRATEGIC POLICY DEVELOPMENT COMMITTEE

JOE SERNA, JR., CALEPA BUILDING

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KATHRYN S. SWANK, CSR
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APPEARANCES

COMMITTEE MEMBERS

Ms. Margo Reid Brown, Chairperson

Mr. Wesley Chesbro

Mr. Jeffrey Danzinger

Ms. Rosalie Mul

Mr. Gary Petersen

STAFF

Mr. Mark Leary, Executive Director

Mr. Elliot Block, Chief Counsel

Ms. Julie Nauman, Chief Deputy Director

Ms. Kristen Garner, Executive Assistant

Mr. Bill Orr, Division Chief, Cleanup, Closure and
Financial Assurance Division

Mr. Ted Rauh, Program Director, Permitting & Enforcement

Ms. Brenda Smyth, Division Chief Statewide Technical and
Analytical Resources Division

Mr. Robert Holmes

ALSO PRESENT

Mr. John Cupps

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1 PROCEEDINGS

2 CHAIRPERSON BROWN: Good morning. Welcome to the
3 August 7th meeting of the Strategic Policy Development
4 Committee.

5 There are agendas in the back of the room. And if
6 anyone would like to speak, please fill out an agenda
7 speaker slip and bring it up to Kristen.

8 Please turn off your cell phones or put them in the
9 vibrate mode, if you haven't already done so.

10 And Kristen, can you call the roll.

11 SECRETARY GARNER: Chesbro?

12 MEMBER CHESBRO: Here.

13 SECRETARY GARNER: Danzinger?

14 Mulé?

15 MEMBER MULÉ: Here.

16 SECRETARY GARNER: Peace?

17 MEMBER PEACE: Here.

18 SECRETARY GARNER: Petersen?

19 MEMBER PETERSEN: Here.

20 SECRETARY GARNER: Brown?

21 CHAIRPERSON BROWN: Here.

22 And Member Danzinger regrets that he can't be here
23 today. Had a family commitment. So we will see him
24 tomorrow.

25 And we'll move first -- any members have any ex

1 partes to report?

2 We'll move first then to Agenda Item 10.

3 EXECUTIVE DIRECTOR LEARY: Thank you, Madam Chair.

4 Good morning, Members.

5 Agenda Item 10 is our venture into the
6 prioritization of the use of our funds, particularly those
7 funds related to external contract services. And as we
8 have in the past, and will continue to strive to do, we're
9 offering to you several proposals that relate strongly to
10 what we think the Board's priorities are, specifically the
11 Board's priorities as defined in the strategic directives.

12 We have a relatively short, but hopefully
13 impactful, set of allocation proposals for your
14 consideration. Clearly, these are not necessarily --
15 capture all of our strategic directives. We have -- as
16 our effort in linking to the strategic directives try to
17 prioritize the kind of support services we need via
18 contract work in these allocation proposals.

19 But many of the essential projects that are key to
20 the strategic directives won't necessarily require
21 contract services. Or in many other cases, we have a
22 number of contract services that are already underway
23 related to specific Board priorities.

24 A couple of examples might be helpful: You may
25 look at this, in first blush, say, "Where's climate

1 change?" That's clearly an important effort in the
2 administration of the Board. Why isn't it spelled out as
3 one of our contract allocation proposals?

4 Well, climate change is clearly one of our
5 priorities, but we have a number of efforts ongoing
6 related to climate change. We have a \$500,000 contract
7 already existing in life cycle assessment, and the
8 economic assessment of greenhouse reduction options with
9 the RTI firm.

10 We've also got the Yolo County Anaerobic
11 Composting Project. We have the landfill best management
12 practices through SCS that recently allocated. We're
13 working with CEC on the Bogner study to refine the
14 estimates of landfill methane emissions.

15 So we have a lot of things underway. And clearly,
16 there probably will be need for further contract support
17 in regards to climate change. But we want to see some of
18 these efforts get underway, get on the ground, start to
19 see some of the results, and then define where our next
20 need might be.

21 But at this point, we think we've got our work in
22 regards to climate change pretty well defined, pretty well
23 underway, and pretty substantial.

24 Other ideas that -- there's not yet a contract
25 allocation proposal associated with extended producer

1 responsibility. Well, we had a good presentation on that
2 a couple of months ago with staff. And we're coming back
3 in September with further refinement about framework and
4 priority products and potential legislation that may
5 occur. Some of that work may beg for further external
6 support. But we're not ready to define that yet.

7 Similarly, organics are clearly a high priority
8 for our organization, capturing Strategic Directive 6, but
9 we're proposing, or preparing, an organic summit for this
10 very committee in October. We will present quite a number
11 of issues related to organics. And we've actually held
12 out, as we defined in the agenda item -- we project we
13 have about a \$2 million CMP total allocation available to
14 us in IWMA. Yet, we've only allocated about 1.55, or
15 proposing through these allocations about 1.55, so we have
16 about \$450,000 still on the table that we can bring back
17 to the Board pending the results of that organic summit
18 and clear definition of what some of the priority
19 activities we might want to do in organics.

20 Research technologies, Strategic Directive 9,
21 again, has issues related to climate change. You have a
22 proposal in the package today for research and
23 demonstration projects along the lines of biofuels and
24 bioenergies. And we're going to engage our new research
25 development model here as part of our strategic directives

1 to better define our research needs in upcoming years. So
2 that work will continue, not necessarily dependent on
3 external contract help.

4 And kind of the other end of the spectrum is the
5 whole idea, the subdirective of this full-cost accounting.
6 We will clearly need contract support for that. But we're
7 nowhere ready to define what that need specifically is.
8 So we need to have some workshops. We need to talk about
9 it with our stakeholders, how to do that well. Our
10 long-term financial assurance study currently underway
11 with ICF will be an important part of that full-cost
12 accounting effort.

13 But in regards to the rest of it, that needs more
14 work, and we're not ready to offer to you our thinking
15 about what that work specifically is in terms of how to
16 spend IWMA yet. And we will come back when we were ready
17 and we've done some of the other research work.

18 We have a lot of efforts, ongoing. A lot of
19 strategic directives will be conducted. Some of the work
20 related to strategic directives will be conducted by our
21 own staff. We don't need external contractors -- the
22 whole effort around permitting, permitting for the 21st
23 century, kind of a global look at permitting and making
24 sure that our infrastructure that we need to build to do
25 all the diversion work we need to do is -- can be

1 accommodated in the current permitting structure. It's
2 work that we can do for ourselves and we don't necessarily
3 need external contract resources.

4 So I would like to portray, and I do mean to
5 portray, we've put a lot of thought into what we're
6 proposing here today. We think it relates strongly to our
7 strategic directives. We're prepared to discuss each of
8 those allocation proposals in detail. We have the staff
9 here to do it.

10 Julie and I had kind of a side conversation
11 yesterday in committee, when we talked about the
12 infrastructure needs around the Inland Empire yesterday.
13 And one of our proposals here today is about building that
14 infrastructure knowledge, both in terms of accumulating
15 the data, but then putting that data in a form, GIS-based
16 data system, that we could have had that conversation
17 yesterday, pulled it up on our computers and say, it's
18 clear, we're lacking MRF C&D processing in the Inland
19 Empire, and we have a need of 5 million tons and we're
20 only processing 2.

21 We'll have that, and that's what we're hoping to
22 start to accomplish in that \$800,000 study in terms of the
23 infrastructure.

24 So with that, I will turn it over to staff. I
25 think Brenda will kick it off with a description of our

1 first proposal, the infrastructure study. And we'll go
2 through those. I would suggest that we make this as
3 informal as you like. They will kick it back and forth
4 among themselves, if people want to bring the best
5 knowledge, the best presentation of this.

6 And I suggest we just take questions in regards to
7 each of them individually, and then wrap it up with a vote
8 to go forward with whichever ones you think are ready.

9 MEMBER CHESBRO: Before you do that, first of all,
10 I want to say that I really appreciate you creating the
11 broader context. Because my frustration in looking at the
12 document that was before us was that it was out of
13 context. It just listed the individual -- I mean, it did
14 list their connection to our strategic directives, which I
15 appreciate that. But it didn't sort of give the big
16 picture, and I think you just did.

17 And I think it would be helpful in the future in
18 preparing to present on contracts, if that context could
19 be part of it, so that you're not just saying we sliced
20 off this piece or that we sliced off that piece, but
21 rather, here's the other things that we are doing or may
22 be done, in the future, that are under consideration, that
23 will address other important portions of this strategic
24 directives, so it doesn't appear that this particular
25 proposal is not focusing, you know, on the primary

1 priorities, because we're doing that in other ways at
2 other times.

3 EXECUTIVE DIRECTOR LEARY: I appreciate the
4 feedback and we'll strive to do that in the future.

5 I think part of the problem here is, we're a
6 little out of sequence.

7 Agenda Item 11 talks about a schedule where we
8 bring each of the strategic directives forward, and we
9 talk about some of the work we're doing in detail. That
10 will have a lot of context around future needs for
11 contract work that will be fulfilled, you know, later on
12 this year or into next year. So some of the context
13 billing that will occur as a result of our regular review
14 of the strategic directives, I think, will help --

15 MEMBER CHESBRO: You addressed my concern with
16 your verbal overview, which is -- I think should be a
17 regular part of the discussion of contracts in the future.

18 CHAIRPERSON BROWN: We actually had that
19 conversation yesterday is we all need to constantly be
20 reminded of the many, many things we're doing in a variety
21 of areas. And you and I have had this conversation. We
22 don't always remember every single BCP proposal that was
23 agreed to, every single -- and that's ongoing, and the
24 staff work that's ongoing on any particular item, if it's
25 not before us at that particular moment.

1 So it is a good practice to regularly -- in
2 addition to review of the strategic directives, when you
3 do a contract concept or any other major thing to remind
4 us all, audience included, with other things we're doing
5 in that area.

6 So....

7 EXECUTIVE DIRECTOR LEARY: Will do. Thank you.

8 MS. SMYTH: Okay. Good morning Madam Chair and
9 Board Members.

10 And I'm going to start off with D1, which is the
11 Infrastructure Baseline Inventory and Information
12 Management Framework.

13 I should mention for the record, I'm Brenda Smyth,
14 Statewide Technical and Analytical State Resources
15 Division.

16 This particular contract concept is an \$800,000
17 request. It's actually kind of exciting. It's a
18 cross-programmatic, cross-divisional effort. It involves
19 the STAR division; it involves LAMD, Local Assistance
20 Market Development; waste compliance and mitigation; and
21 IMB. And all of the ideas are incorporated in this one
22 concept, which will take us to basically the next
23 generation of data management. It will help fill in the
24 information we need on our infrastructure and our
25 information framework.

1 It's kind of a two-phase thing: It's divided into
2 \$500,000 to help gather the information; and \$300,000 for
3 the IT component. And it will actually assess what
4 information is available, and gather it. Then it will
5 identify data gaps, and we'll need to fill those in. And
6 then we'll be rolling this into, as Mark described it, a
7 GIS data management system that includes upgrades and
8 enhancements to our existing data management system.

9 If you have any questions on that one?

10 CHAIRPERSON BROWN: Anybody have any questions?

11 MEMBER PETERSEN: I --

12 CHAIRPERSON BROWN: Gary, looks like you're --

13 MEMBER PETERSEN: Good morning, everyone.

14 Brenda, as I looked at this, I didn't understand.
15 I finally understand what you are trying to do. I'm going
16 to get into some detail, and tell me if I'm off base here.

17 On your research, are we looking for just the
18 traditional recycling out of municipal solid waste? Are
19 we doing cross-overs to see what's going on in the scrap
20 industry, metal industry, auto scrap industry? Are we
21 gathering data so that market knowledge of local markets
22 or whatever will be part of this?

23 MS. SMYTH: Right. This will actually fold in our
24 market assessment action plans of what's going on with
25 staff out in the field. It will also adjust the 21st

1 century from the facilities site, landfills, MRFs,
2 transfer stations, that type of thing, but all the way
3 through to the market side as well as we understand how
4 are we going to meet, you know, the new diversion and
5 disposal mandates for the future. Where are the
6 facilities? Where the markets? And how are we going to
7 be able to drive both ends?

8 MEMBER PETERSEN: And this is backed up -- even
9 the alternative products manufacturing area, we're going
10 to go that far into this, where it's not full-circle
11 recycling? There's other markets for secondary materials
12 that --

13 MS. SMYTH: Yeah, I think we need to look at the
14 whole, big, picture.

15 MEMBER PETERSEN: The other question is, have you
16 guys thought about -- I mean, that's a lot of money. And
17 I'm thinking, is there a way we can use graduate programs
18 through the university systems to get those guys to do the
19 research?

20 MS. SMYTH: Right. We're thinking about that.
21 And actually, the next step after the concept approvals
22 would be the scope of work development. And there will be
23 a lot of details in that, that we would like to interact
24 with you on that. And that's one thing we'll be
25 considering is how to use graduate students maybe in IAA

1 for some of the easier data gathering. Some of the more
2 difficult data gathering, where there's confidentiality
3 issues or people don't want to relinquish the data, that
4 kind of thing, we might need a contractor on.

5 MEMBER PETERSEN: You said, like, your markets and
6 let's say you guys want to know where stuff's going. A
7 lot of these dealers and brokers are not going to tell you
8 what they are doing.

9 MS. SMYTH: We're finding that out.

10 MEMBER PETERSEN: Well, there's ways of getting
11 around that. But it's more cumbersome, but there's a way
12 to do it. So this is very interesting. I'm all for this.

13 MS. SMYTH: We'll need to tap your brain and
14 others on the details of the scope of work.

15 MEMBER PETERSEN: We'll have some fun. That
16 works.

17 MS. SMYTH: Good.

18 MEMBER PETERSEN: Thank you.

19 MEMBER PEACE: We already have a lot of
20 infrastructure information from our permits and from our
21 RMDZ.

22 So how are we going to fill in the information on
23 the infrastructure that we don't have? How are we going
24 to find that out?

25 MS. SMYTH: That's the part with the contractors.

1 We do -- we have been successful on, for instance, I'll
2 use an example with the composting infrastructure surveys.
3 We've done a few of those. And actually, at the board, we
4 started attempting to do that with our staff, and we
5 weren't very successful because people didn't want to give
6 us the information, like Gary was alluding to.

7 So we hired a contractor and they did a survey
8 under a cloak of confidentiality. They masked the data.
9 We get the data, which is what we need, and the facilities
10 are more willing to give their confidential information
11 over to a third party, independent party. So that's the
12 type of process we're going to have to use for the
13 difficult data. And then there's also other ways --

14 MEMBER PEACE: You talk about composting. Don't
15 we already -- because they have a permit from us. So
16 don't we already know that information?

17 MS. SMYTH: Right. There's a lot of information
18 we do know, but we do have data gaps that are
19 identifiable, that will we don't know. And so we'll be
20 working to fill those data.

21 It's a multistage process. It's assimilating the
22 data we do have. Some of it's apples and oranges. Some
23 of it, we may have, like, for instance, permitting
24 capacity, but we have no idea what their throughput is.
25 And sometimes, people don't want to tell you what that is.

1 So as much as we can, we will be assimilating the
2 data that we have. We will try to bring it to the same
3 basis so that it's in the same units, that make sense.

4 Some of it's reporting data that's biennial and
5 not annual. Some of it's city or county but not regional.
6 So we have to do a lot of adjustment of data so that we
7 can compare it. And then we'll be able to identify the
8 gaps in the data. Those would be the more difficult holes
9 to fill.

10 MEMBER PEACE: And it says the success of the
11 project will be measured by the participation of the
12 facilities. So if they don't participate, this is not
13 going to really be all that much help? Didn't we just do
14 like a MRF study not too long ago, where we didn't get too
15 much participation?

16 MS. SMYTH: That's the other need for a contractor
17 with certain qualifications. If you aren't getting the
18 data in an easy way, you can back into it through
19 algorithms. There are pieces of information that you can
20 get. And based on economic sales or taxes or whatever
21 information you can glean, you can drive that with
22 algorithms through the backdoor and sometimes predict what
23 markets will be and so forth. That's a little more
24 difficult process, and that's where we will need to be
25 shored up with the contractors.

1 MEMBER PEACE: And then you talk about throughput
2 and sales. This sounds to me like doing this study, it
3 would be outdated before it's even done. Doesn't this
4 stuff like change so --

5 MS. SMYTH: That may be some of the problem with
6 our existing data, where we know a lot of the information.
7 Some of our existing data may already be outdated. So
8 it's another piece of the project is to evaluate the
9 currency of the data and to make sure what we're doing is
10 current.

11 MEMBER PEACE: So have we thought about how much
12 staff, time, and money it will take to keep this updated
13 so that it is useful and current? It sounds like it's
14 going to need to be updated continually to make it useful.

15 EXECUTIVE DIRECTOR LEARY: I think one of the
16 purposes of our reorganization was to put more effort,
17 more staff, in the field.

18 So my thought is, once we build this framework,
19 then staff will be that presence in the field to keep it
20 updated, keep it current, because we'll have -- we'll be
21 able to go into the field with an understanding of what's
22 happening in that marketplace, how materials are moving,
23 where the linkages are; and then come back and interact
24 with the marketplace in a way that continues to garner
25 information, gain knowledge, gain understanding, that can

1 be fed back into the system to keep it current. That's
2 the idea. That's the model.

3 And with the increased staff presence in the field
4 through our reorganization, and this backbone
5 understanding of how the materials move, we'll have a
6 continual living document that the committee will thrive
7 and base decisions upon, like where to grant loans, where
8 we want to focus our RAC program, where we can offer the
9 tools that we offer in a meaningful way, that will make a
10 real impactful improvement to the marketplace situation.

11 MEMBER PEACE: I guess if we have to pay this much
12 money for this study, you want to make sure it's something
13 that's going to be -- that we have the staff and the money
14 to keep it updated. You don't want to do a study and then
15 not --

16 CHAIRPERSON BROWN: I think a major part of the --
17 we can't forget that a significant portion of this is this
18 writing of the program, of the building of the database.
19 It's partially a study-gathering information, but 300,000
20 of it is two full-time programmers to build the database
21 which is the one that the staff will be using. And as
22 they use it in the field, they will continually update.
23 They will have the GIS into it.

24 So it's not 800,000 for the study. It's 500,000
25 for the contract in data collection and 300,000 for two

1 full-time programmers to write this over two years.

2 MS. SMYTH: Very good point. And part of those
3 data programmers will be building enhancements and
4 upgrades to our existing data management systems that will
5 help us keep that data more current and will help the
6 automatic reporting systems that are coming in, to feed
7 right into them.

8 CHAIRPERSON BROWN: Any other?

9 MEMBER MULÉ: Thank you, Madam chair. I just have
10 a couple comments on this. \$800,000 is a lot of money,
11 and I know that we have to further flesh out this concept
12 into a work plan and a scope of work. So I'm here to
13 offer my help and assistance as well. Gary has a lot of
14 knowledge out there as do I. So we're here to help you
15 with that.

16 I really like the idea more of where we're going,
17 especially with staff being in the field and being able to
18 maintain this database.

19 And I think, Cheryl, that's one of the keys to
20 this proposal, or this contract concept, is to upgrade and
21 integrate the indicate the databases.

22 Ted and I had a discussion when he first came on
23 board and he recognized that we have all these different
24 databases out there, but none of them integrate with each
25 other. So what we have out there right now is, we have a

1 certain group of staff asking stakeholders for certain
2 information. And then we have another group of staff
3 asking those same stakeholders for pretty much the same
4 information.

5 And so I know that the stakeholders are sometimes
6 frustrated in providing the same information to different
7 sets of our staff. Because again, our current databases
8 are outdated and they really do need to be upgraded.

9 So I think that that's really critical to this
10 whole project. And so I fully support that. It's, again,
11 in fleshing out what kind of data we need. We really need
12 to think this through and ask, what do we need and why do
13 we need this information or do we really need this
14 information? How are we going to use it? Because that's
15 what the stakeholders out there are asking.

16 When they are reluctant to provide information,
17 their first question is, "What do you need this
18 information for?"

19 So if we can't give them a good answer, then
20 frankly, we shouldn't be asking for it. So again, I'm
21 here.

22 I think it's a great concept I'm really pleased
23 that we're finally here with all of this. Because Mark
24 and I have been talking about this for a while. So I'm
25 here to help you flesh this out.

1 Thank you.

2 EXECUTIVE DIRECTOR LEARY: Let me just add one
3 more component to this. As briefly discussed in the
4 proposal, the concept here is to expand this beyond simply
5 the solid waste infrastructure. Add some e-waste money,
6 some oil money, some tire money, and make sure we capture
7 all of the waste streams that we are currently responsible
8 for and develop the same infrastructure for the same
9 movement of those materials.

10 MEMBER CHESBRO: So the \$800,000 is for the --

11 EXECUTIVE DIRECTOR LEARY: Strictly for the solid
12 waste component.

13 MEMBER CHESBRO: So the other thing your
14 describing would be in addition to that?

15 EXECUTIVE DIRECTOR LEARY: Exactly. But we're not
16 seeking your approval here today for it. We'll come back
17 for further refinement of that, for those monies later.

18 MEMBER PETERSEN: I'm sorry. I just want to -- as
19 you're going to put this all together, we're going to have
20 a living document, here, based on updating this database
21 with our people in the field collecting data. So we're
22 going to spend this money one time up front to get our act
23 together to make this thing so much easier to
24 jurisdictions and us.

25 EXECUTIVE DIRECTOR LEARY: That's our vision.

1 It's not a document. It's a database. It's a system,
2 that will be available not only through us, but to our
3 stakeholders. We don't want to put it on paper. Oh, God.
4 That's 19th century.

5 MEMBER PETERSEN: I'm against that.

6 CHAIRPERSON BROWN: Okay. Any other questions
7 from Board members?

8 Sounds like we have a general consensus to move
9 forward with the development of scope of work on D1. So
10 why don't you do that.

11 And why don't we move to D2.

12 MS. SMYTH: Okay. D2 is Research and
13 Demonstration Projects for bioenergy and biofuels
14 production. This is a \$500,000 allocation request. And
15 as Mark mentioned, this dovetails with our Strategic
16 Directive 9, specifically 9.2 and 9.3.

17 9.1 will be the research model that we'll be
18 coming back to the Board with later this fall. And this
19 would be, actually, one of the first ones out of the chute
20 for that. The \$500,000 could fund one, maybe two,
21 projects.

22 CHAIRPERSON BROWN: Maybe one.

23 MEMBER MULÉ: Maybe one.

24 MEMBER PETERSEN: Maybe one.

25 CHAIRPERSON BROWN: Probably not two.

1 Go ahead, Gary.

2 MEMBER PETERSEN: Okay. So this allocation is for
3 a demonstration.

4 Now, if you look at these facilities and what
5 we're seeing out in the streets, we're talking 10 million,
6 15 million, just for a demonstration project of this scale
7 of the CTs. And full-blown implementation of some of
8 these is \$30 million. So I'm trying to get a handle on
9 how we're going to spend this money and on what.

10 MS. SMYTH: Well, it would be seed money to
11 encourage the demonstration project. And we're actually
12 going to be looking at doing a little synergy with
13 other -- timing of other funds that may be available.

14 We know that the Emergency Commission has
15 solicitation for bioenergy projects, and that ARB may have
16 some low carbon fuel projects. So we're going to try and
17 synchronize with some of the other money out there.

18 MEMBER PETERSEN: As with the previous item, with
19 this item, I would like to help you. We do know a little
20 bit about this and we could probably help you move some of
21 the direction here.

22 I still think we're really short on the funds in
23 doing this kind of thing to make this happen. We're real
24 short here.

25 MEMBER CHESBRO: Back to the context of Mark's

1 earlier presentation about where we are spending contract
2 dollars or thinking about planning to, when I read this
3 one, it occurred to me that while biofuels are certainly
4 something we need to be working on, that, you know,
5 there's an early action item to deal with the organic
6 stuff, the materials already got put in the landfill and
7 the gas that they produce. Can you -- and that seemed to
8 me to be more immediate as opposed to a somewhat
9 longer-term effort to try to be -- prevent the material
10 from going in the landfill through the biofuels.

11 Can you or someone on the staff refresh me on what
12 we're doing about the landfill in terms of contract
13 dollars, landfill gas efforts, to support the early action
14 item?

15 EXECUTIVE DIRECTOR LEARY: I will take a shot at
16 it and welcome any input from staff.

17 But I think our efforts, so far, are key in two
18 areas in regards to that. I think, even if we had a ton
19 of money, I'm not sure we would quite know how to best
20 spend it at this point, absent the data that we'll get
21 from the Bogner study, which would do a full analysis of
22 the movement of methane in a landfill system and provide
23 for us some meaningful -- you know, a better understanding
24 of how to capture that more effectively and will, as part
25 of that study, also do this analysis of effectiveness,

1 which is, there's a lot of debate between the various
2 stakeholders about what is effectiveness in terms of
3 calculating the methane emissions from landfills.

4 And the second part of that, of course, is the
5 best management practices effort that we're doing with SCS
6 that we currently allocated money for -- and the scope of
7 work.

8 I think between those two systems, those two
9 efforts, and their results, we'll have a much better
10 understanding of how to go about the early implementation;
11 that in concert with the requirements that we'll be
12 working with the Air Board to define the regulations,
13 required by AB 32, for them to adopt by July 1, 2010.

14 So there's a three-pronged effort here is getting
15 a better understanding of movement of landfill methane via
16 the Bogner study; not waiting for that necessarily to
17 propose best management practices in the operation of
18 landfills through probably the most knowledgeable
19 contractor around in SCS; and thirdly, setting some sort
20 of meaningful regulatory standards with ARB and the Energy
21 Commission that the ARB will you ultimately adopt by
22 January 1, 2010.

23 CHAIRPERSON BROWN: And don't forget, we did just
24 do, last fiscal year, or this fiscal year, \$750,000 for a
25 contract for flare to LNG, which is the fuels project.

1 And we did an additional allocation to a second project
2 for the same study.

3 So that also --

4 EXECUTIVE DIRECTOR LEARY: -- furthers our
5 standard --

6 CHAIRPERSON BROWN: -- furthers our --

7 EXECUTIVE DIRECTOR LEARY: -- and the effort.

8 CHAIRPERSON BROWN: -- efforts.

9 But -- and I think that, you know, there's just a
10 little reluctance -- you know. Is this enough to really
11 push somebody in? Are we going to invest?

12 I see you, John. You didn't tell me which
13 contract concept you want to talk about. So I will let
14 you talk as soon as we're done. Okay?

15 You know, we don't want to just put 500,000 on the
16 street for not a really good project because it's the only
17 person who actually had the interest to solicit for it.
18 So I think maybe something that's really important is to
19 parlay with the next solicitation, with the CEC, on
20 biorefineries where their money and our money, we can pay
21 a part in it; we can help collect some of the data.

22 But I would hate to see no interest because the
23 insignificant level of money for these types of
24 demonstrations, and then, you know, get a project that
25 really is of no value to us when it's finished. So I

1 think we really need to carefully look at what we want and
2 the quality of data that we're looking for.

3 MEMBER PEACE: I think I have some of the same
4 concerns that Chair Brown and Board Member Petersen have
5 raised. That 500,000 just doesn't seem like very much
6 money.

7 There's already projects in the works. There's
8 already the Bull Moose Energy secured last Monday, \$60
9 million; financing from Morgan Stanley to develop a
10 biomass power plant; Enviropel is currently working on the
11 cleaning and demonstration project in Vista; with others
12 hopefully to follow, the Oti and Nirmar and Sycamore, you
13 know, landfills. Hopefully, that's going to produce 60 to
14 90 megawatts of renewable energy and sold by SDG&E.

15 So it sounds to me like -- and then there's also
16 the Renew Project, you know, in Los Angeles. They have
17 spent already several years trying to figure out the
18 project they wanted back.

19 So it does sound like there's a lot of progress
20 being made around the state and starting up these kinds of
21 facilities. But I think the thing we need to do that's
22 going to help the most is to clarify our regulations and
23 to get those straightened out first for the permitting
24 process. That was going to encourage these things the
25 most.

1 So when we're talking about \$500,000 it seems to
2 me like if we were going to spend this much money, it
3 would almost seem like it would be helpful to use this
4 for -- help with the projects in citing or in permitting
5 or in testing, rather than a particular project.

6 Have you thought about anything like that?

7 MS. SMYTH: Again, we can address some of the
8 those concerns in our development and scope of work,
9 exactly what we're demonstrating with this money.

10 Are we going after more data gathering? Are we
11 hopping through the permitting and citing process here and
12 how it would be used? I think the most important point
13 would be to leverage our money by looking at the timing of
14 other monies on the table.

15 MEMBER PEACE: Do you know if the CEC is doing
16 anything? I heard there's really limited money coming
17 from the CEC.

18 MS. SMYTH: They have the second solicitation, but
19 I'm not sure of the timing. So we need to check on that,
20 for this type of project.

21 MEMBER PETERSEN: Would it be helpful if -- and
22 while I understand where you are going on this, and it's
23 going to involve after we think about this some more. But
24 I see what's going on out there. Would we be in a
25 position to join up with the CEC and Air Board and some

1 others to do peer review on technology, that's from all
2 over the world, to help -- and to facilitate that peer
3 review so the local jurisdictions -- they are trying to
4 figure this out. The don't have the capability to figure
5 a lot of this stuff out. The contractors show up at their
6 door. "I have the magic wand; I can make this happen."

7 So maybe that's something we can take a look at,
8 as we look at it. We need to help facilitate that. So
9 it's a checklist. And all three agencies or four
10 agencies, including Water Board, are involved. That's
11 just....

12 CHAIRPERSON BROWN: John, did you want to speak on
13 D2?

14 MR. CUPPS: Yes.

15 Madam Chair, Members of the Committee. Name is
16 John Cupps. I am a consultant.

17 My interest in this particular agenda item is --
18 stems from the fact that I have been involved in
19 discussions with several different jurisdictions, as well
20 as one technology vendor and at least one facility
21 operator, about some potential projects.

22 And given that, I kind of have, I guess, a
23 question in terms of what the scope or the uses of this
24 money would be. The item talks about either demonstration
25 or pilot projects. There are technologies out there that

1 are certainly well beyond a demonstration or a pilot
2 project scale, if you will. In particular, anaerobic
3 digestion, I would submit to you, is a proven technology.
4 It's been demonstrated over in Europe and other parts of
5 the world. There are projects going into Canada. We
6 really don't have a lot of experience with that particular
7 technology in the United States or California.

8 But there are people who are very definitely
9 interested in exploring the feasibility of such projects
10 here. And of course, even just the effort to do that type
11 of feasibility study is a costly undertaking.

12 But I think, potentially, that is where you may
13 actually get the most bang for your buck, so to speak, is
14 that if you targeted some of this money to either local
15 jurisdictions and/or the technology vendors or existing
16 facility operators who are looking at doing something
17 different, to go through that sort of feasibility study
18 process.

19 And just -- in terms of the dollar amounts
20 available, you are talking about \$500,000. I would have
21 to agree with Gary that that's, you know -- obviously we
22 could use a lot more than that. In terms of the numbers
23 that I've heard from one of the technology vendors they
24 have indicated to me that it will -- just to put together
25 a feasibility study for a site or for a jurisdiction's

1 specific project, we're looking at a minimum of \$200,000.

2 Now, I believe that these folks are prepared and
3 probably will spend that money. But obviously, if you
4 wanted to help prime the pump, I think if you were to make
5 grants available for those types of feasibility studies,
6 that that may be the most, the biggest, bang for your
7 buck. And I would just like to suggest that maybe you
8 need to have -- set up some type of process to involve
9 stakeholders in discussions with your staff and the Board
10 members as to where this money should be targeted in terms
11 of developing that scope of work.

12 Thank you.

13 CHAIRPERSON BROWN: Thank you, John.

14 Anybody have any questions?

15 Thank you. Anything else on D2?

16 I think you can go forward and develop the scope
17 of work. I think probably it would be a good idea to take
18 into consideration some of John's input. And then we'll
19 revisit this when we look at the scope of work. Because I
20 think that, as you indicated, there's more information
21 that needs to be gathered on this one.

22 EXECUTIVE DIRECTOR LEARY: Absolutely.

23 CHAIRPERSON BROWN: Okay. Let's move to D3.

24 PERMITTING & ENFORCEMENT PROGRAM DIRECTOR RAUH:

25 Madam Chair, this is Ted Rauh. I will be talking about

1 the next several items. And I have support here in case I
2 get into trouble, since this is my first time.

3 We're talking about D3, about a hundred thousand
4 dollars to complement the Board's efforts to develop
5 emergency regulations for the plastic grocery bag
6 comingled recycling rate.

7 Basically, what this contract would do, would
8 enable us to establish what that rate would be as required
9 by the current emergency draft regulations. And the
10 staff's identified two possible ways to accomplish this
11 requirement.

12 One would be to utilize the Board's existing
13 contractor that does waste characterization study. The
14 downside to that approach is that that particular effort
15 is conducted every two years, and we would not have -- if
16 we were successful in amending that contract and
17 incorporating this work, we would not really have any rate
18 to share with the industry until probably the spring of
19 2008. The other problem with that approach is that our
20 contractors basically go out to the waste industry we
21 regulate and don't go out to supermarkets. And so we
22 would be tasking them, through an additional contract and
23 scope of work, to do work that they are not currently
24 doing for us.

25 The second approach, and one that we're trying to

1 pursue once we get your approval would be to go to the
2 Department of Conservation who already samples these same
3 locations and basically do an interagency agreement with
4 them to do the work. And that's -- I would hope to be
5 able to tell you that we've made some progress with them,
6 but we haven't been able to secure their interest in this
7 yet, but we think that they will be.

8 The amount that you see, the hundred thousand
9 dollars, is basically designed in the event that we can't
10 work with them and have to work with our own contractor.
11 We hope that by working with them, we'll be able to reduce
12 that amount somewhat. And obviously, once we have the
13 contract scope, we would be back with you.

14 As you look at the steps on the second page of the
15 writeup, you will see that some of those things staff
16 would do under this approach, which would obviously save
17 money for the Board.

18 So I certainly would entertain any questions about
19 this proposal.

20 CHAIRPERSON BROWN: Anybody have any questions?

21 MEMBER PEACE: I have one. Is this a one time
22 thing? Are we going to have to calculate this every year?

23 CHAIRPERSON BROWN: No. Well, yes.

24 PERMITTING & ENFORCEMENT PROGRAM DIRECTOR RAUH:

25 Yes. It will be a recurring requirement to establish this

1 rate on an annual basis.

2 MEMBER PEACE: In doing this, do we -- is this
3 going to devise a formula to calculate that rate or do we
4 have to spend a hundred thousand dollars every year?

5 PERMITTING & ENFORCEMENT PROGRAM DIRECTOR RAUH:
6 Our sister agency -- the amount that we have to spend each
7 year would be far less, but --

8 CHAIRPERSON BROWN: And correct me if I'm wrong,
9 before we go too much further, the hundred thousand
10 dollars is what Cascadia estimated it would cost. It's
11 not what we would be paying DOC.

12 PERMITTING & ENFORCEMENT PROGRAM DIRECTOR RAUH:
13 That's correct.

14 CHAIRPERSON BROWN: If we go with our sister
15 agency, it ain't -- it's not going to be a hundred
16 thousand dollars. A hundred thousand dollars is to tack
17 on a whole extra component to an existing contract.

18 MEMBER PEACE: I guess, what do we use this rate
19 for? I guess I don't understand why we need this.

20 PERMITTING & ENFORCEMENT PROGRAM DIRECTOR RAUH:
21 Well, The rate is a part of the regulation. It's used by
22 the individual supermarket chains --

23 CHAIRPERSON BROWN: Let me cut to the chase here
24 and not go on.

25 When we adopted emergency regulations in June to

1 address 2449, which is the film plastic single-use grocery
2 bag, in our discussions with our working group to develop
3 those regulations, we agreed to develop the comingled rate
4 for them to use for reporting and collection of their
5 single-use recycling containers.

6 2449 required every grocery store to have a
7 recycling on site and we --

8 MEMBER PEACE: That's all the bill required them
9 to do? I mean, they didn't require us to do anything?
10 The bill didn't require us to come up with a comingled
11 rate? It didn't require the Board to put out any money?
12 So I mean, we're requiring this of ourselves, then? In
13 the regulations, we're requiring this of ourselves?

14 CHAIRPERSON BROWN: Yes.

15 MEMBER PEACE: So I'm -- I'm wondering, what we're
16 going to do with this information, and why is it important
17 to us?

18 CHAIRPERSON BROWN: Because we, in agreement with
19 the industry, are having them report to us on an annual
20 basis the amount of film plastic bags they are collecting.
21 Since they collect more than just the single-use bags,
22 they --

23 MEMBER PEACE: Like the shrink wrap and all that.
24 But when they send it out to their recyclers, don't the
25 recyclers know what they are taking?

1 CHAIRPERSON BROWN: Not if it's bailed.

2 MEMBER PEACE: Well, they are going to sort it out
3 at some point.

4 CHAIRPERSON BROWN: That's what the comingled --
5 they will not. No. They bail it and then the recycler
6 bails it and processes it and sends it to market.

7 MEMBER PEACE: Still the bill didn't require
8 them --

9 CHAIRPERSON BROWN: Cheryl, our regulations that
10 this Board adopted in June were to develop a system for
11 the grocery stores to report to the Board on the amount of
12 film plastic they collected.

13 We determined in coordination with our advisory
14 group that that would show an improvement in the amount of
15 bags being used or not used in grocery stores. And we
16 wanted to show that information.

17 MEMBER PEACE: But finding out what's -- during
18 our waste characterization study, how much is actually
19 thrown in the dump, wouldn't that tell us if the program
20 is working or not?

21 CHAIRPERSON BROWN: No. What this comingled rate
22 is intended to do is to give them a formula to calculate
23 how many single-use bags versus how much film plastic and
24 other film plastic is collected from the back end.

25 MEMBER PETERSEN: Cheryl, this is already being

1 done by the Department of Conservation for beverage
2 containers. We're just doing that, using that model, so
3 we know -- we know what Margo just said. We want to know
4 what they are buying, coming into the store, what they are
5 giving to the public, and what's being recycled. And they
6 have to go to a comingled rate to do that.

7 MEMBER PEACE: I guess I'm trying to figure out
8 why is that important to us.

9 MEMBER PETERSEN: Because we need to know how
10 successful this drop-off program is going to be with the
11 grocers in collecting those bags, or else we need to do
12 something else to start collecting those bags that are
13 blowing around in your neighborhood.

14 If this is going to work, we'll see.

15 MEMBER CHESBRO: You could say it's a form of
16 accountability.

17 MEMBER PETERSEN: Yes, it's a form of
18 accountability.

19 MEMBER CHESBRO: Because they said they were going
20 to do something in order to head off some other things.
21 And so the question is, are they doing it successfully?

22 MEMBER PEACE: But this is something that the bill
23 required of them and didn't require of us. So actually,
24 we're taking the cost for the industry. We're taking on
25 that cost ourselves.

1 MEMBER PETERSEN: We're just -- we're gathering --

2 CHAIRPERSON BROWN: The bill did not require them
3 to report unless we ask them to report. So what we did in
4 our emergency regulations is made a system and a process
5 for them to report in the same manner so that we could
6 measure success or failure of the program.

7 And I think the intent of the bill was to reduce
8 the number of single-use bags. We cannot show and
9 determine a drop in the number of single-use bags if we
10 don't measure it and require them to report.

11 If we don't set up a system for them to report the
12 information in the same manner, statewide, then we can't
13 measure whether the program is successful or not and hold
14 them accountable.

15 So we developed a reporting system, and we are
16 requiring them to report to us, which is not part of the
17 bill. And they agreed to that if we would agree to
18 develop a comingled rate. So it was a process of
19 negotiation and establishing the emergency regulations.
20 It's not a hundred thousand dollars every single year.

21 MEMBER MULÉ: And it may not even be a hundred
22 thousand dollars this year. The key to this is to work
23 with our sister agency that already does this. Because
24 Cascadia is measuring what's going into the landfill, and
25 in order for us to determine a comingled rate, we're going

1 to have to go to the stores and the distribution centers
2 where they are bailing this product. So there's different
3 places where Cascadia would need to be in order to do a
4 characterization.

5 MEMBER PEACE: I'm just still wondering what we're
6 going to use this for.

7 MEMBER MULÉ: Because we have to measure success,
8 Cheryl.

9 MEMBER PEACE: They are having a hard time getting
10 enough material. So I guess if the grocery stores are
11 collecting more, their difficulty in getting that stuff
12 would go down.

13 MEMBER MULÉ: But they are collecting more than
14 just plastic grocery bags. They are mixing those plastic
15 grocery bags along with shrinkwrap and other film
16 plastics. And so again, when they bail that, we need to
17 have an understanding what percentage of that bail is
18 plastic bags and what percentage of that bail is
19 shrinkwrap, etc., etc.

20 So that's what we're trying to do in determining
21 this, quote, comingled rate.

22 MEMBER PEACE: I know what the comingled rate is
23 trying to do. I guess I don't understand why that is so
24 important to us.

25 MEMBER MULÉ: Because we need to measure the

1 success of AB 2449.

2 CHAIRPERSON BROWN: It's important to us to have
3 all the information reported in the same manner.

4 MEMBER PEACE: And then I guess another thing
5 we're paying for -- they said they negotiated this during
6 the regulation process.

7 CHAIRPERSON BROWN: They did not negotiate with
8 us.

9 MEMBER PEACE: We would pay for this study for
10 something that they are supposed to do.

11 And I guess it just kind of makes me, I guess, not
12 really happy, because in the law, they are supposed to
13 write something on their bags and supposed to print at the
14 bottom "please return to participating store for
15 recycling."

16 I went to two stores. Went to Ralphs and they
17 didn't have it on there. I went to Albertsons and they
18 had it on there. I went to another Ralphs store and it
19 wasn't on there.

20 But I'm thinking, if they're really serious, if
21 they wanted this bill to work, if they are really serious
22 about collecting bags, that they wouldn't put this, what
23 the bill's requiring them to put on there at the very,
24 very bottom of the bag, in this little tiny writing that
25 nobody can even see. Especially when you put something in

1 the bag, you don't even notice it.

2 So to me, when I was reading over this and I went
3 to look at the bill, I went out to my -- you know, and
4 started getting bags out of my bag recycle, because I
5 couldn't even tell you if this was on the bag. I didn't
6 even know if it was on there.

7 To me, if the grocery store is really concerned
8 about this --

9 CHAIRPERSON BROWN: The bill took effect July 1st.

10 I know for a fact, we've gotten calls from
11 manufacturers. Do they have to trash the bags they
12 already had printed that are in the system?

13 "No" was our response from staff. Obviously, they
14 don't have to do that.

15 There is a period of implementation. And, you
16 know, I regret that you weren't here for that because I
17 know you would have enjoyed it and participated in the
18 process of developing the regulations.

19 The fact of the matter is, Cheryl, they are
20 developed. We made an agreement to develop a comingled
21 rate. Doesn't mean that we have to do it in, you know --
22 in forever, whatever damn word I was trying to get out.
23 We don't have to do it forever. It's something that the
24 industry may choose to do. We made an agreement. We
25 don't have to agree to do it for a hundred thousand

1 dollars. That was not what we anticipated in the
2 development process.

3 But I do think we need to coordinate with DOC.
4 And I think you've got several members of the Board who
5 are more than willing to approach DOC and get their
6 interest level to where we need it to be in order to do
7 the study for us.

8 MEMBER PEACE: When we agreed with industry that
9 we calculate this rate and spend this money so they have
10 this rate, that we couldn't also have encouraged them to
11 put that recycling message at the top of the bag.

12 MEMBER PETERSEN: I agree with you, Cheryl.

13 CHAIRPERSON BROWN: That would be the author.

14 MEMBER PEACE: It didn't say where on the bag it
15 had to be, in the bill.

16 MEMBER PETERSEN: The whole thing is going to boil
17 down to whether it's successful or not.

18 MEMBER PEACE: Sounds to me like they don't want
19 to be successful, with the writing at the bottom of the
20 bag.

21 MEMBER PETERSEN: That's probably what's going to
22 happen.

23 MEMBER CHESBRO: If that's the case, hopefully the
24 legislature will be prepared to go further.

25 MEMBER PETERSEN: And that's where I think we need

1 to go.

2 PERMITTING & ENFORCEMENT PROGRAM DIRECTOR RAUH:

3 One last item. I just was advised --

4 CHAIRPERSON BROWN: You can't sink the ship before
5 it gets out of the harbor. That's all I have to say. We
6 haven't even developed these regs. We don't have even
7 have one reporting period or a comparison period under our
8 belts, and we're already poking holes in it.

9 I think the fact that we have the bill, we have
10 the bill with an opportunity to implement it and implement
11 it successfully with all of them reporting, we at least
12 need to gave them an opportunity to work.

13 MEMBER MULÉ: Agreed.

14 PERMITTING & ENFORCEMENT PROGRAM DIRECTOR RAUH:

15 Just wanted to mention -- I just received notice that our
16 sister agency has made contact back to our request and
17 wants to begin conversations about working with us on this
18 item.

19 CHAIRPERSON BROWN: Let's move to D4 then.

20 PERMITTING & ENFORCEMENT PROGRAM DIRECTOR RAUH:

21 Yes, Madam Chair.

22 D4 is \$50,000 for compost safety research. And
23 basically, as the Board knows, this is an issue that has
24 come before us over the last several years, including
25 regulations. The compost industry -- rather, the

1 rendering industry in California is having some
2 significant difficulties, has seen some reversals, and
3 we're now in a situation where in some areas of the state,
4 there aren't sufficient rendering plants to deal with the
5 normal occurrence of an animal death as a result of
6 agricultural activity and other activity, for that matter.

7 We've had circumstance of a serious problem last
8 year where the local governments had to propose emergency
9 actions to deal with carcasses. We've had one instance
10 this year, and we're actually right now in a situation
11 where at least in one county, the rendering capability is
12 down because of air pollution standard requirements. And
13 we may be dealing with local government having to take
14 emergency action but we're not sure.

15 What this effort does is fall along both our
16 efforts with your emergency regulations and the California
17 Department of Agriculture's efforts to deal with this
18 problem. We participate -- staff participants in a work
19 group that was established by the California Department of
20 Education -- Agricultural, excuse me, to deal with the
21 rendering issue. And that group is looking at a number of
22 options for dealing with animal carcasses, including
23 composting.

24 And what this proposal is, is to divide \$50,000 to
25 augment a \$74,000 research effort by the -- by our sister

1 agency to study composting as an option for animal carcass
2 disposal. There is also \$74,000 that our sister agency
3 has put forward for the work group which includes
4 representation across the state, and recently held an
5 international symposium on this particular issue to help
6 define the research and analytical work that needs to be
7 done to determine whether composting among other options
8 would be successful.

9 And what we would like to do is leverage that
10 effort. We have some expectation that private
11 organizations may also contribute to this effort as well.
12 But at this point, there's the \$74,000 from TDA and our
13 50,000, if you approve it, which would be looking
14 specifically at the ability to use composting as a safe
15 strategy for handling this problem.

16 CHAIRPERSON BROWN: Any questions? Cheryl?

17 MEMBER PEACE: Can you then explain to me exactly
18 what animal carcass mammalian composting is? Mammalian
19 composting, what exactly is it? You have the dead animal?
20 How does that go to the compost? What goes on in between?
21 Can you explain to me what mammalian composting is?

22 PERMITTING & ENFORCEMENT PROGRAM DIRECTOR RAUH:

23 Well, basically it would be taking the dead carcass, and,
24 for example, dairy cattle is the situation, and the animal
25 carcass would be ground and then added to composting

1 material, and basically managed in the same fashion that
2 composting is.

3 The issue here is what, scientifically, do we need
4 to do in terms of controlling temperature and other
5 factors to ensure that any of the pathogens that may be
6 associated with the dead animal are, effectively, rendered
7 harmless as a result of the composting treatment. That's
8 what we want to try to do with this research.

9 MEMBER PEACE: Do we know, though, even if this
10 study is proven to be safe through this research and
11 stuff, are farmers -- will farmers want to do this? Will
12 farmers be convinced -- even if we prove it's safe, will
13 farmers be convinced to use this?

14 PERMITTING & ENFORCEMENT PROGRAM DIRECTOR RAUH:
15 Well, the current approach is available --

16 MEMBER PEACE: Isn't it hard to get them to use
17 compost now?

18 PERMITTING & ENFORCEMENT PROGRAM DIRECTOR RAUH:
19 Well, I think farmers in the past had basically taken
20 carcasses out with their backhoe, dug a hole, thrown them
21 in the hole with lyme, and bury them. So I don't know
22 that they would be necessarily against this approach if
23 it's scientifically demonstrated to be sound.

24 MEMBER PEACE: I just wonder if the E. coli scare
25 and everything with this spinach -- they lost a lot of

1 money in spinach -- do we know if farmers would want to
2 use this kind of composting? I'm just wondering.

3 PERMITTING & ENFORCEMENT PROGRAM DIRECTOR RAUH:

4 I think right now, a farmer is required to basically try
5 to use a renderer. And if the rendering system fails, if
6 they cannot provide that service for whatever reason, then
7 it's really up to the local health agency to make a
8 finding and basically have that carcass either removed to
9 a landfill or dealt with in some other way.

10 CHAIRPERSON BROWN: I think there's a disconnect.

11 You're talking about disposal and composting of the
12 animal. And Cheryl's wondering where the compost is going
13 to end up if it's going to be land-applied to crops, and
14 if that's the end of market for this type of compost. Or
15 is this type of compost being returned back to the dairy
16 farm?

17 PERMITTING & ENFORCEMENT PROGRAM DIRECTOR RAUH:

18 Let me ask Bob Holmes here to weigh in on that.

19 CHAIRPERSON BROWN: I think she's talking about
20 the end use. You're talking about what this alternative
21 replaces.

22 MR. HOLMES: The current emergency action that the
23 Board took to undo the prohibition for the composting of
24 mammalian tissue to allow for research limits, that
25 research currently on-farm materials and the finished

1 product needs to stay on-farm as well, partially, that's a
2 safety issue.

3 The research -- we're not quite sure where the
4 research will lead. We want to find out, you know, is the
5 compost process capable of destroying the pathogens that
6 are of concern to us and of the animal health experts?
7 And if it is, then that will lead to more open uses for
8 the finished product.

9 If it's not, then obviously we'll need to control
10 that. It could prove out that it's not safe at all and we
11 rule out composting altogether.

12 MEMBER PEACE: I was just thinking, even if they
13 did prove it safe, we saw yesterday how hard it is to get
14 composting facilities sited. I just wonder what people
15 would say if they knew that composting facility is not
16 only going to have biosolids but it's going to have dead
17 animals in it. That would really get people upset.

18 MEMBER PETERSEN: Maybe it's all on how you frame
19 it. Could be compost meatloaf or something.

20 MEMBER PEACE: Now, they say don't put any meat in
21 your compost.

22 So you are saying, they are looking at different
23 ways, though? They're looking at animal cremation and
24 other ways to deal with animal carcasses other than
25 composting?

1 PERMITTING & ENFORCEMENT PROGRAM DIRECTOR RAUH:

2 Yes, the work group that I mentioned, they are looking at
3 other options. Obviously, they are looking at ways to
4 reinvigorate our rendering program, our rendering industry
5 in California. They are also looking at incineration,
6 on-site incineration options too, where there's a question
7 about whether those could be brought in significant
8 numbers, and there's air quality issues of course with
9 those as well. So burial on site is another example.

10 MEMBER CHESBRO: So I assume, for the immediate
11 future, that the day-to-day basis, obviously, animals die,
12 and the current practice on a small scale, just digging a
13 hole with the backhoe and burying them is going to
14 continue.

15 What we're talking about here is in a large
16 die-off, emergency situation, what do you do with --

17 MEMBER PEACE: Disease or hot weather.

18 MEMBER CHESBRO: Yeah. What do you do with all
19 those deceased animals, that have passed on? And what's
20 the least undesirable way.

21 So I think what you're talking about, Cheryl, is
22 really marketing something that is useful, which would be
23 great if it's safe, if people actually wanted to use it.
24 But a large part of this is trying to deal with a
25 emergency situation in the most -- the least undesirable

1 way.

2 PERMITTING & ENFORCEMENT PROGRAM DIRECTOR RAUH:

3 Right.

4 MR. HOLMES: That's correct.

5 And we found last summer also that the compost
6 process can be beneficial even as an interim step to stage
7 the use of feed or crop residues to absorb some of that
8 moisture and to reduce vectors, and then those animals can
9 be moved, then, to the landfill like that instead of just
10 open and....

11 MEMBER CHESBRO: So you are saying that, like, an
12 interim solution would be actually just waste reduction in
13 the volume of the material that would then be landfill?

14 MR. HOLMES: Correct, just in moisture absorption.

15 MEMBER CHESBRO: Made safer and reducing the
16 volume.

17 MR. HOLMES: Yeah, you wouldn't necessarily take
18 it all through the compost process to kill the vectors and
19 then apply it to the land. You would just package it for
20 transportation to the landfill.

21 MEMBER CHESBRO: You can tell by all the faces in
22 the audience, this is a very popular subject.

23 CHAIRPERSON BROWN: Good luck in your research,
24 Bob. We all wish you the best.

25 EXECUTIVE DIRECTOR LEARY: And have it happen as

1 far away as possible.

2 MR. HOLMES: That's why we're finding a contractor
3 to do the work.

4 CHAIRPERSON BROWN: Okay. With that lovely
5 discussion, let's move to D5.

6 Thanks, Bob.

7 PERMITTING & ENFORCEMENT PROGRAM DIRECTOR RAUH:
8 D5 is a response to work that the Board commissioned the
9 Illegal Dumping Enforcement Task Force to begin work.
10 Reported back to the Board in March of this year with a
11 series of 24 recommendations which the staff in turn
12 worked with that group to identify the top six.

13 And basically, what this contract would do is
14 address at least two of those top six and several others
15 that were within the priority area as well.

16 And those include addressing -- providing an
17 emphasis to state and local programs that are addressing
18 illegal dumping and prevention awareness. We feel this
19 manual would play a key role in addressing those issues,
20 and also as we intend to include an extensive enforcement
21 component in the manual, which would provide and enhance
22 enforcement.

23 Those are the two directives or proposals that the
24 task force made to you as some of its six highest. There
25 are several other aspects that were reported on including

1 coordination of the local programs, standards for
2 enforcement, guidelines for local enforcement, and
3 information on what works and the available resources to
4 make it work.

5 And so our contract concept would include a manual
6 that would provide information in these areas: would
7 provide a background; what are affected programs and local
8 jurisdictions; what are the important aspects of
9 prevention that are working in the state and how to employ
10 those effectively in your community, including models that
11 could be used or extrapolated from; it would include
12 specific criteria for enforcement guidelines on how to
13 carry out an enforcement program; develop and protect
14 sites that are perennial dump sites; utilization of our
15 surveillance equipment where appropriate, and so forth.

16 And we believe that even though we're coming --
17 scheduled to come back to you in December with an approach
18 for the Board to consider on illegal dumping, we think
19 that these -- that this is ready to go now, that with the
20 contract, we can work with local governments that are
21 successful, other organizations that have a role in this,
22 to put this particular manual together and bring it back,
23 obviously in a scoping phase for your review and approval.

24 CHAIRPERSON BROWN: Any questions?

25 MEMBER PEACE: He's looking at me. I don't have

1 any questions on this one.

2 CHAIRPERSON BROWN: I got three people on this
3 side. I look this way. Then I look this way.

4 MEMBER PETERSEN: She's staring at me.

5 CHAIRPERSON BROWN: Do you have a question?

6 MEMBER CHESBRO: No. I'm actually trying to break
7 myself of the habit.

8 MEMBER PETERSEN: I have a question.

9 CHAIRPERSON BROWN: Gary.

10 MEMBER PETERSEN: Now, when they do the modeling
11 or case studies, are we're going to go outside the U.S.
12 maybe and poke around and see what else is going around in
13 other countries? Is that something we could do?

14 PERMITTING & ENFORCEMENT PROGRAM DIRECTOR RAUH:
15 Well, we hadn't planned with this effort to look outside
16 the state. That's not something that we certainly
17 couldn't --

18 MEMBER PETERSEN: Like Denmark and what they do
19 their about their programs. And Singapore.

20 And then my other question is, instead of -- this
21 all coming out of the IWMA account, could it come from,
22 like, tires and oil, all contributing to this?

23 PERMITTING & ENFORCEMENT PROGRAM DIRECTOR RAUH:
24 Certainly, all the funds could contribute. We actually
25 did look at the tire fund, and there are a couple of areas

1 there that we might draw some funding from. You can come
2 back with a reallocation proposal associated with the
3 concept. Then we bring the concept to you for approval.

4 MEMBER PETERSEN: Great. Thank you.

5 E-waste too; right?

6 PERMITTING & ENFORCEMENT PROGRAM DIRECTOR RAUH:
7 Certainly.

8 MEMBER PETERSEN: Let's get them all.

9 MEMBER MULÉ: Thank you, Madam chair.

10 I think the concept is good. I guess, in my mind,
11 I'm just trying to figure out what this is going to look
12 like. You know, even reading through the -- your scope
13 here, I guess what I would like to see is I would like to
14 see the task force reconvened up front so that they can
15 help develop the work plan, and we can get some ideas on
16 what this really needs to look like. Because again, I
17 know that there's a lot of good work that's currently
18 being done out there by a number of local jurisdictions.
19 Fresno County, Riverside County have done a lot of work on
20 this for a number of years.

21 So rather than us going forward and writing this
22 scope and saying this is what it's going to look like and
23 hiring a consultant and then bringing the task force in, I
24 think it might be a good idea to bring them in to help us
25 form what this is going to look like. And, you know,

1 because, again, when I read a manual, I mean, I think of
2 printed. And I hope we're not going to print anything.
3 This can all be done online.

4 So that's my only recommendation.

5 PERMITTING & ENFORCEMENT PROGRAM DIRECTOR RAUH:

6 Well, I certainly -- I think we intended to bring the task
7 force back to Kevin to help form the scope for this living
8 document, with the intention of not trying to create
9 something that has our view, but has everyone's view.

10 MEMBER MULÉ: Right. Well, again, in the
11 milestones, it says draft work plan and then bring them
12 in. And again, I'm thinking we should bring them in first
13 and then draft --

14 PERMITTING & ENFORCEMENT PROGRAM DIRECTOR RAUH:

15 We'll certainly make that change.

16 MEMBER MULÉ: Okay. Thank you.

17 CHAIRPERSON BROWN: Okay. I have a question.

18 You mentioned the task force is coming back in
19 December with a report to the Board on your approach --

20 PERMITTING & ENFORCEMENT PROGRAM DIRECTOR RAUH:

21 We are coming back --

22 CHAIRPERSON BROWN: You are coming back?

23 PERMITTING & ENFORCEMENT PROGRAM DIRECTOR RAUH:

24 We're coming back with the staff recommendations as part
25 of the strategic directive response to you in December.

1 CHAIRPERSON BROWN: Okay. So my question is,
2 why -- well, I will just be much more direct. Is the
3 reason this is coming forward now because it's a contract
4 concept allocation, as opposed to waiting until December
5 and making this part of your proposal to the Board?
6 Because I would rather hold in abeyance the hundred
7 thousand dollars, hear your approach and what your
8 recommendation is, then decide if this fits in, if this is
9 a good fit, and where we go. Because, you know, we don't
10 have to do the hundred thousand dollars in the beginning
11 of this now if it's, if it's being brought forward just
12 because we're reviewing contract concepts and this is part
13 of what we want to do in our overall approach, I would
14 rather hold it and hear the overall approach, in my
15 personal opinion, rather than start this early and then
16 come back with an approach midway and have us say gosh,
17 you know, maybe we should have increased the scope of work
18 or we should have changed something or added something.

19 MEMBER MULÉ: Agreed.

20 MR. ORR: This is Bill Orr -- let me -- with the
21 Cleanup, Closure, and Finance Assurance Division.

22 I think the thing we were trying to accomplish
23 with this is, given the presentations that have been made
24 previously to the Board and the direction that we have
25 received is, we basically wanted to look at with this

1 concept, what can we do now to combat illegal dumping?
2 How can we pull together the resources that are out there
3 in communities so that we can enhance current programs and
4 make new ones? And specifically, I think the thing that
5 we're looking at now is things that don't require
6 additional statutory authority or require additional
7 funding.

8 And so I think the distinction between what we're
9 looking at now and what we'll be bringing back to you
10 later in December is that these are things that we can do
11 under existing authority -- local governments are already
12 doing them in some instances -- whereas the things that
13 we'll be focusing on in December are the things where we
14 may need additional statutory authority or other funding
15 mechanisms to be able to pursue. So that's sort of the
16 distinction that I see between what we're looking at here
17 and what we'll be bringing back later.

18 CHAIRPERSON BROWN: That makes sense.

19 I think -- anybody else have any comments before I
20 try and....

21 I think Rosalie made a very valid point in that
22 the task force needs to get together to develop the scope
23 of work. I still don't know whether the timing of this is
24 crucial for now. I mean, I think, Bill, you laid out why
25 you guys are bringing it forward now versus waiting for

1 the comprehensive statutory move on all of this.

2 I don't want you to develop, you know, a huge
3 scope of work and in a month have us say, "No, we want you
4 to wait for December." But I think you need to get the
5 task force together to develop the scope of work,
6 determine whether this is time sensitive and needs to go
7 forward now, or whether it would behoove you to wait until
8 December, put forward the entire plan, and then propose it
9 at that time.

10 So I'm going to leave it to you to pull the task
11 force together, get their recommendation on the time
12 sensitivity of this guidance document for local
13 governments on how to tackle illegal dumping. And if the
14 task force believes that it's time sensitive and needs to
15 be tackled now, then bring forward a scope of work with
16 the other four. And if it can wait for December to be
17 more comprehensive, I will leave that to your discretion.

18 EXECUTIVE DIRECTOR LEARY: Thank you. We'll
19 proceed exactly that way.

20 CHAIRPERSON BROWN: Great. Okay.

21 Now that we have exhausted you all, let's move to
22 Item 11.

23 EXECUTIVE DIRECTOR LEARY: Madam Chair, we do have
24 a resolution for this Agenda Item 10.

25 And I think with the understanding about D5 --

1 CHAIRPERSON BROWN: Why do we have a resolution if
2 we're looking for guidance to develop a scope of work,
3 Elliot? Isn't that a legal question? Why would we have a
4 resolution if we are not agreeing to do anything; we're
5 providing guidance?

6 EXECUTIVE DIRECTOR LEARY: We are allocating this
7 amount of money for these purposes. We will then --
8 obviously, that money, if the scope isn't -- if somewhere
9 down the road we bring up a scope of work and you decide
10 that's not appropriate at this point or you don't want to
11 proceed any further, then that might revert to
12 consideration for further reallocation. But this simply
13 documents the decision to go ahead with these forward, to
14 develop the scope of work and allocates that money for
15 these purposes so that it can't be used in any other way.

16 CHAIRPERSON BROWN: Well, then what I would like
17 to do is have five separate resolutions to vote on, on
18 Tuesday, at the Board, and do them each individually,
19 rather than as a group. Because I think we're not
20 agreeing to move all five forward, and I think there's
21 work that needs to be done on them.

22 So if we could redraft the resolutions into five
23 separate ones, then we can vote on them individually at
24 the Board meeting. Because we didn't agree to move
25 forward on that money for illegal dumping.

1 EXECUTIVE DIRECTOR LEARY: We could also just
2 scratch it at this point. You have given us direction on
3 how to proceed on that, take it off the table for purposes
4 of the allocation here, today, and move the first four.

5 CHAIRPERSON BROWN: I mean, with all due respect,
6 we have a discomfort with a hundred thousand dollars for
7 the plastic bag as well. I think that's in excess.

8 So we need to have another discussion with DOC,
9 follow up to get a clearer understanding. So I think we
10 should allocate and approve the exact amounts of money, or
11 closer to the amount of money, that we're going to use.

12 So I mean, we're not going to have a whole nother
13 discussion on Tuesday. We're just going to vote on
14 individual resolutions on Tuesday.

15 So let's move this item with the request for
16 individual resolutions to the full Board.

17 EXECUTIVE DIRECTOR LEARY: Will do.

18 CHAIRPERSON BROWN: Thank you.

19 And Julie?

20 CHIEF DEPUTY DIRECTOR NAUMAN: Good morning, Madam
21 Chair and Board Members.

22 I'm going to be presenting and discussing with you
23 Item 11, the title of which is Discussion of Process and
24 Schedule for Periodic Review of Strategic Directives.

25 Now, just thinking back, when the Board began the

1 whole process of developing governance policies, I think
2 we all recognized that this was a several-stepped process.
3 And we recognized early on that once we develop the
4 language of these governance policies, and more
5 specifically, the strategic directives, that we would then
6 move through the steps of developing a plan for
7 implementation and, ultimately, a plan for monitoring.

8 Last month at your Board meeting, you conducted a
9 workshop where we presented for you, strategic directive
10 by a strategic directive, kind of our plan for
11 implementation. And that included a documentation of the
12 baseline, as we know it now, some performance metrics that
13 we hope to use to measure our progress, key activities,
14 and, of course, then, annual targets.

15 During that review, you gave us some feedback; you
16 suggested some modifications. I have to admit that we're
17 still working through all those. It's been about three
18 weeks since that time. We've had some vacations and some
19 faces have returned. And so we haven't completely gone
20 through all of those revisions.

21 So I apologize for that, taking a little bit more
22 time than we had first anticipated. Our plan is to
23 complete those hopefully by the end of this week,
24 certainly by early next week. We'll push that you all get
25 copies of those revised plans. And then we'll post the

1 final versions on the Web site so our stakeholders see the
2 latest version. So that's where we are in terms of
3 implementation steps.

4 This morning, we wanted to talk about monitoring.
5 As part of your direction last month, when you looked at
6 our ideas for implementation, you also directed us to come
7 back this month with a plan for the periodic review and
8 monitoring of each of the strategic directives, the
9 thought being that we would take them one at a time, on a
10 month-by-month basis, at least through this first round,
11 so that you would have an opportunity for both us to
12 discuss with you the progress that we believe we've made
13 on the strategic directives, one by one, and also use that
14 as an opportunity to discuss those areas where we felt we
15 needed additional direction or clarification.

16 So you have in the agenda item not only the
17 Attachment 1, which, again, for the benefit of the public,
18 documents all of the strategic directives and the 50-some
19 subdirectives, but I would like to turn your attention now
20 to Attachment 2.

21 This is our proposed schedule for reviewing each
22 of the strategic directives on a month-by-month basis.
23 And you will see, we start with August, which is what
24 we're doing right now, reviewing the schedule, and then
25 you will notice that as we proceed from September through

1 next May, we're not taking them in sequential order. And
2 there's a reason for that.

3 And those reasons really are what you see in the
4 notes and comments. We sat down, as exec staff, and tried
5 to walk through what is the work that we're going to be
6 doing, that is going to trigger the opportunity to come
7 back and report progress or seek additional direction.

8 So without going through each of them, one by one,
9 maybe just an example would help. If you look at
10 November, we're suggesting that we would bring back SD6,
11 the market development strategic directive. And the
12 rationale for doing that in November is explained in the
13 notes that we will be having the organic summit in
14 October. And so the timing will be bringing back the
15 results of that summit in November. And in this case,
16 presenting the results and seeking direction for further
17 activities.

18 So you will see that throughout here. Some of the
19 rationales, I admit, are a little bit stronger than
20 others. Some of the them, quite frankly, there was an
21 available month and we had to plug that one in, so it got
22 plugged in. Okay?

23 So you will see, it takes us through May of next
24 year, taking these one at a time. There is one exception
25 to the one-at-a-time rule, and that's in December where

1 Ted and his staff are proposing that we bring SD4 and 8
2 together. And I think we recognize, going through the
3 review of those last month, how closely linked those are.
4 So we feel that makes sense.

5 So I'm available for any questions you may have
6 about this proposal.

7 CHAIRPERSON BROWN: Let me also interject at this
8 point that in addition to review of the strategic
9 directives, we also need to review the Board linkage and
10 the governance policies. And so that will fold into this
11 as well.

12 So on the months, for instance, September and
13 October, where some of those strategic directives are a
14 little lighter than, say, December, we'll fold in, for
15 example, GP1 through 6. And that will actually be an
16 exercise of the six of us Board members.

17 And the way we'll do that is that we'll each get a
18 survey. And I've asked Eric Douglas to compile the
19 information independently from us, so we'll each get a
20 survey, respond to the questions, send it to Eric. He'll
21 compile the information and then we'll actually go through
22 each of the governance policies, 1 through 6, evaluate our
23 performance with those, how we feel that they are going
24 and what's, you know, changes or amendments or things need
25 to happen on those. And we'll do those at the same time,

1 periodically.

2 So we will probably do GPs 1 through 6 in
3 September, and 7 through 13 in October. And then probably
4 not add anything in November and December, given those
5 large strategic directives and finish up with board
6 linkages, possibly in January and, say, April so that we
7 do a periodic review.

8 So we'll send that part out separately. But
9 we're -- we need to evaluate those on an annual basis as
10 well.

11 So with that said, Wes, I think you have a
12 question. I will look this way.

13 MEMBER CHESBRO: Madam Chair and Members, mostly
14 this looks very logical to me. The only one that, you
15 know, pokes my impatient nerve is the fiduciary
16 responsibilities, later than I would wish. It's just a
17 sense of urgency that we really need to move.

18 Now, there may be some good reasons in terms of
19 the work that needs to be done between now and then. So
20 I'm open to that. But that was my first reaction to it,
21 was just, gosh, it would be nice to be updated on that
22 sooner.

23 CHAIRPERSON BROWN: Do you want to respond to that
24 or take that as a comment?

25 CHIEF DEPUTY DIRECTOR NAUMAN: I would be happy to

1 take that as a comment and pass that on to Howard.

2 CHAIRPERSON BROWN: No -- because I think we are
3 doing the fiduciary responsibility framework discussion in
4 September. And from September to February is an awful
5 long time and especially if there is some work that we
6 need to seek or --

7 CHIEF DEPUTY DIRECTOR NAUMAN: I would suggest
8 that we go ahead with the discussion in September and see
9 where we are and then project when the appropriate time
10 for review should be, based on what you decide. And then
11 we can move some other things around right.

12 CHAIRPERSON BROWN: All right. Okay.

13 MEMBER CHESBRO: I just wanted to inject that
14 sense of urgency. And I just felt the rest of the Board
15 also felt that way. So I think it's probably a concern.
16 That's all.

17 EXECUTIVE DIRECTOR LEARY: Maybe this is -- I'm
18 overstating the obvious, but there's nothing to preclude
19 us to bring an extended producer responsibility-related
20 item to the Board that are separate and apart from the
21 overall overview of that strategic directive.

22 Something comes out of September that we decide
23 needs to be followed up right away, we can bring it up in
24 October as a separate agenda item and still have our
25 strategic directive overview in February -- evaluation in

1 February.

2 MEMBER CHESBRO: I just wouldn't want the Board
3 adopting, agreeing, to this schedule to imply that we're
4 not going to follow up.

5 EXECUTIVE DIRECTOR LEARY: That's not how it's
6 intended.

7 I mean, we clearly are oriented to move
8 aggressively in these high-priority areas, aggressively as
9 resources will allow, and you will allow us to move
10 forward.

11 CHAIRPERSON BROWN: Well -- and I actually had
12 only one cup of coffee, and I told Wes that women need
13 three cups of coffee to remember things. At least that's
14 what I heard this morning on "Good Morning, America." So
15 given that I have only had one, thank you for actually
16 refreshing -- this is actually our review of our
17 performance which doesn't preclude us from giving staff
18 direction in September to do work or to develop a
19 framework separate and apart from our review of our own
20 performance.

21 So we do feel strongly about extended producer
22 responsibility. And that's why we're taking it up in
23 September as a follow up to June, so we can look in
24 September at moving aggressively.

25 And now any other questions before I get my second

1 cup of coffee?

2 Okay. No resolution on this one. This is just a
3 request for direction.

4 This -- I think that there's consensus, Mark and
5 Julie, that this plan that you have laid out works for the
6 Board, with the understanding that this won't preclude us
7 from moving aggressively on issues that we feel strongly
8 about -- that we've shared with you.

9 EXECUTIVE DIRECTOR LEARY: Thank you.

10 CHAIRPERSON BROWN: So given that, any other
11 discussion for Board members? Ted?

12 PERMITTING & ENFORCEMENT PROGRAM DIRECTOR RAUH:
13 Just had one follow-up from yesterday's committee meeting
14 when we were talking about, in my briefing, the Angora
15 Fire.

16 I was advised, just before this meeting started,
17 that around 11 o'clock today, certainly by this time, we
18 will have finished our 50 percent completion on debris
19 removal.

20 Thank you.

21 CHAIRPERSON BROWN: And thank you for mentioning
22 that.

23 I will mention that any Board members that are
24 available, we will be doing an event with our contractor
25 up there on Thursday about lunchtime to applaud the crews,

1 thank them, give them a big pat on the back, for working
2 six days a week to try and expedite the removal of debris
3 so that the homeowners can start to rebuild as quickly as
4 possible.

5 So all Board members are invited to be there.
6 There may be an event in the morning. The first concrete
7 foundation for the first homeowner will be poured that
8 morning, I understand.

9 So it will be a good event. Anybody can come.
10 Lunch is on the contractor. All right.

11 I think that's it.

12 Any old business? New business?

13 We're done. Thank you, all.

14 (Thereupon the Strategic Policy Development
15 Committee meeting adjourned at 11:33 a.m.)

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1 CERTIFICATE OF REPORTER

2 I, KATHRYN S. SWANK, a Certified Shorthand
3 Reporter of the State of California, do hereby certify:

4 That I am a disinterested person herein; that
5 the foregoing California Integrated Waste Management
6 Board, Strategic Policy Development Committee meeting, was
7 reported in shorthand by me, Kathryn S. Swank, a Certified
8 Shorthand Reporter of the State of California, and
9 thereafter transcribed into typewriting.

10 I further certify that I am not of counsel or
11 attorney for any of the parties to said meeting nor in any
12 way interested in the outcome of said meeting.

13 IN WITNESS WHEREOF, I have hereunto set my hand
14 this 20th day of August, 2007.

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23 KATHRYN S. SWANK, CSR

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